



Join us for the commemorative walk up Capitol Avenue for the 40th Anniversary of the Civil Rights March on Frankfort of 1964! See page three.

HUMAN RIGHTS REPORT

Kentucky Commission on Human Rights Quarterly Newsletter

Winter 2004

Study looks at predatory lending in Jefferson County

One-third of Jefferson County residents who lost their homes to foreclosures in recent years may have been victims of predatory lending and the majority were residents in the low-income, largely African American West End of Louisville.

The Louisville Urban League and its partners released these findings in a new report entitled *Predatory Lending in Jefferson County* on Dec. 1, 2003, citing that the number of foreclosures in Jefferson has nearly tripled since 1996, and shows no sign of slowing.

Six zip codes – all in the West End – accounted for 46 percent of the foreclosures that exhibited predatory lending characteristics. Less than 9 percent of those were owner-occupied dwellings and less than 8 percent were owner-occupied dwellings with mortgages.

The analysis, which was conducted by The University of Louisville Urban Studies Institute, used Jefferson County Circuit Court records to identify foreclosures on

mortgage loans with one or more of four characteristics found in predatory loans: very high interest rates; prepayment penalties combined with high interest rates; balloon payments; and high loan-to-value ratios.

The records revealed 1,555 mortgage foreclosures that resulted in court-ordered auctions between January 2000 and December 2002.

The Kentucky Commission on Human Rights was a partner in the project along with the

Kentucky Housing Corporation, Louisville-Jefferson County Metro Human Relations Commission, Home Ownership Partners, and Louisville Metro Department of Housing.

Carolyn Peoples, assistant secretary of the U.S. Dept. of Housing and Urban Development (HUD) Office of Fair Housing and Equal Opportunity, traveled from Washington D.C. to help the partners release the study in a press conference at the Urban League's

headquarters.

The two largest areas of recurrent discrimination in the U.S. are race and disability, she said: "These are hard to prove in predatory lending because many times this practice targets a community."

Predatory lending is a crime in the U.S. and is prosecuted based on fraud.

Ms. Peoples' visit was part of a tour to talk about the right to fair housing.

"Part of the problem is that many people don't know about civil rights," she said.

Other characteristics of predatory lending are: approving a loan while ignoring the borrower's ability to repay; inflating the borrower's income to get loan approval; inadequate disclosure of terms; pressure and intimidation; misleading or fraudulent marketing including bait and switch techniques; loan packing; payable-on-demand clauses; and loan flipping.



Officials talked after releasing a new study on predatory lending in Jefferson County. From left to right are Ben Richmond, president of the Louisville Urban League, Kelly Watson, executive director of the Louisville-Jefferson County Metro Human Relations Commission, Carolyn Peoples, assistant secretary of the U.S. HUD Office of Fair Housing and Equal Opportunity, and Beverly Watts, executive director of the Kentucky Commission on Human Rights.

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Beverly Watts
Executive Director

From the desk of

Beverly Watts

Executive Director



Predatory Lending in Jefferson County:

The study indicates that predatory lending exists in our community. This is a devastating form of discrimination. Victims are unsuspecting borrowers whose ability to repay is ignored. Their income numbers are often inflated in order to get their loans approved.

Civil rights, real estate, and banking professionals in our community can utilize the report to address the practice of predatory lending by working together.

We welcome the participation of business and community leaders to help us and to utilize us for training and education programs about fair housing and civil rights.

The Kentucky Commission on Human Rights offers education and outreach programs to promote understanding about the legal right and broad benefit of fair housing. Part of this strategy among our partners includes the issuance of the new report, one of the first of its kind in the country, and one that can serve as a template for communities throughout the U.S.

The Louisville Urban League is to be commended for commissioning the study on predatory lending in Jefferson County, in partnership with the Kentucky Housing Corporation, Louisville-Jefferson County Metro Human Relations Commission, Louisville Metro Department of Housing and the Kentucky Commission on Human Rights. We thank the University of Louisville Urban Institute for conducting the study.

Predatory lending robs people of their homes and future generations of their inheritance. It preys on the poor, minorities, the disenfranchised, any group, and tears at the very seam of any community. Let's work together to eliminate it from Jefferson County.

Louisville Police shooting of Michael

Newby: On January 3rd, an African American died during an encounter with the Louisville police. This was the second African American in less than one year killed by a white Louisville police officer in circumstances that

raise fear and doubt on the part of many citizens.

Michael Newby was 19 years-old. Media have referred to him as an African American "man," but from my perspective, he didn't realize the opportunity to become a fully grown, fully mature man. I believe parents of all races probably relate.

It is reported that Michael Newby was shot in the back three times after an alleged undercover drug sting went bad. It is alleged that before he fled, he struggled with the officer over the police service revolver and had a revolver in his waste-band at the time of his death.

(1) The perils and risks of police work are critical and well-known. (2) Many young African American males confront the devastation of drugs, drug trafficking and violence everyday of their lives.

Hopefully the facts of what happened that night will come to light. Yet, whatever the facts, this violent tragedy seems beyond the scope of any understanding, old or new.

KCHR is in a group of police and community leaders that met for the first time on Jan. 17. The meeting had been planned beforehand, but the death of Michael Newby made the gathering even more timely. Louisville Police Chief Robert White said he hopes to address the problems identified during our discussions, such as race relations, and trust and honesty between the community and his department. Our group is working to establish forums in various neighborhoods to allow for honest conversation and efforts to bridge the gaps between police and community.

Meanwhile, nothing can restore this lost life. No opportunity awaits this human being to make positive choices or live a contributory life. His death will be an unending heartbreak to his parents and family who had hope and saw potential for a son whose life was ahead of him. Everybody loses. Let this be the last.

Announcements

Please join us for the 1964 Civil Rights March on Frankfort 40-year Commemoration! Forty years ago on March 5, 1964, the Reverend Martin Luther King Jr., baseball legend Jackie Robinson and Kentucky civil rights leaders led 10,000 people from across Kentucky to rally at the state capitol. They came to support a bill desegregating public accommodations then being considered by the General Assembly. The bill never made it out of committee during that session, which ended just a few weeks afterward, but the march helped lead to passage of The Kentucky Civil Rights Act in 1966.

KCHR will commemorate the historic march with a special event on Wednesday, March 3. It will begin with a memorial walk up Capitol Avenue from Fourth Street at 9:30 a.m. to the Kentucky State Capitol steps. Please gather at 9 a.m. at Capitol and Fourth. A ceremony will follow either in the capitol rotunda or,

if there is a beyond-capacity crowd, on the capitol steps.

We invite the public to walk with KCHR up Capitol Avenue in honor of this anniversary and to attend the ceremony. If you or a family member participated in the 1964 walk, we urge you to join us and to contact the commission to help us share your history.

Please R.S.V.P. by calling Cynthia Fox at 502.595.4024 or 1.800.292.5566 so we can help the Frankfort Police Dept. plan logistics and traffic control. Frankfort Parks and Recreation will provide free parking and bus transportation from Juniper Hill Park and Golf Course, located on the west side of Frankfort, about one-half mile from the capitol, at 800 Louisville (US 60) Road. Buses will return you to Juniper Hill after the event.

KCHR will help lead the Civil Rights Round-table at the Quad State Fair Housing and Equal

Employment Opportunity

Conference from 2:30 to 5 p.m. on Wednesday, March 3, at the Hyatt Regency in Lexington. For information about attending, contact Julie Lasslo at the Lexington-Fayette Urban County Human Rights Commission at 859.252.4931.

Joseph Brown, Human Rights Employment/Public Accommodations compliance supervisor, retired from



Joseph Brown

KCHR on Dec. 30, 2003, after 14 years of outstanding service.

Joe Lally

became the new supervisor in

January. He has a law degree from the University of Louisville and was previously an enforcement officer for the agency for four years.

Hispanic partners visit the commission

On December 8, 2003, Hispanic community leaders and professionals who work with Kentucky Hispanic communities met with our management and staff. The purpose of the meeting was to provide in-depth information about our services, education and outreach programs, and to hear recommendations for furthering civil rights outreach to the more than 60,000 Hispanic people in the state.

Attendees were representatives from: Kentucky Foot Hills Rivers in Richmond, Louisville International Affairs, Louisville Fair Housing Council, Florence Police Department, U.S. HUD Louisville Field Office, Kentucky Cabinet for Families & Children in Frankfort, Las Americas in Shelbyville, Center for Women & Families in Louisville, MISAS in Owensboro, Americana Community Center in Louisville, St. Rita Catholic Church in Louisville, Kentucky Housing Corporation, and Kentucky Migrant Education in Owensboro.

In addition, KCHR held seven more civil rights workshops and three fair housing symposiums across the state targeted to Hispanics. KCHR has begun networking with other minority groups such as the Boat People S.O.S, a Vietnamese organization based in Louisville, to ensure that the Vietnamese population in Kentucky know about their civil rights in the state.



At the meeting: (In front) Deborah Zaborac of Kentucky Migrant Education in Owensboro, Omar Ayyash of Louisville International Affairs, and Robin Penick of U.S. Department of Housing and Urban Development Kentucky Office.



Also, Yidda Landis of Louisville, Milagros Stivers of the Kentucky Housing Corporation in Frankfort, KCHR's Beverly Watts, KCHR Commissioner Rev. Thurmond Coleman of Louisville, and Ron Russell, immigration attorney of Louisville. Far right is KCHR Field Supervisor Juan Peña.

In the Public Eye

The Affirmative Action debate: Where do we go from here? 2003 Town Forum

This year's Ninth Annual Town Forum prompted a lively discussion about Affirmative Action by panelists and many of the 75 concerned citizens and human rights advocates who attended. The program was held on Dec. 12 at the Hyatt Regency Hotel in Louisville.

Panel moderator Charles Whitehead, retired president of Ashland Inc.

Foundation and a well-known Kentucky civil rights advocate, led the discussions. The panelists were Janet Givens, administrative officer for Lexington-Fayette Urban County; Debra Vance, equity and diversity officer for Covington Independent Public Schools; Beth Wilson, executive director of the American Civil Liberties Union of Kentucky, and Cedric Powell, associate dean for Academic Affairs and professor at the University of Louisville Louis D. Brandeis School of Law.

Proponents of continuing Affirmative Action programs, the panel discussed the topic as it impacts the government



KCHR officials welcomed the 2003 Town Forum panel.

sector, education programs and the future.

"If you take away history," said Prof. Powell, "the argument that Affirmative Action amounts to reverse discrimination would make sense."

But, the U.S. Supreme Court's current position is that history, as context, matters when it comes to Affirmative Action policies, he said.

The country's history of past discrimination provides a basis for implementing Affirmative Action policies as corrective measures, he said.

America heard the term, "affirmative action," for the first time in 1961. The black unemployment rate was twice that

of whites. President John F. Kennedy issued Executive Order 10925 instructing federal contractors to take affirmative action to ensure that applicants were treated equally without regard to race, color, religion, sex or national origin.

Designed to address the inequitable representation in the workplace of African

Americans, and as time went on, other minorities and women, Affirmative Action became a set of government policies and programs to alleviate the discrepancies. The issue has remained under debate.

Town Forum audience member and human rights activist Anne Braden addressed the panel during the question-answer session: "Guilt is not productive," she said, "but we do have to be honest about past discrimination and then maybe we can finally get free of it."

Insight Communications televised the event seven times in December.

New Hamilton Sculpture in Louisville



As part of the national celebration of the 200th anniversary of the Lewis and Clark expedition, Louisville sculptor Ed Hamilton's "York," was unveiled on the Louisville Belvedere river front on Oct. 14, 2003. York was the first known African American to venture into the unknown territory west of the Mississippi. Mr. Hamilton (inset photo) is a member of the KCHR educational poster series, the Gallery of Great Black Kentuckians.

Civil Rights Video for Students



We recently produced a power-point based video complete with music and sound bites to educate Kentucky students about civil rights. "Each of Us is Different. All of Us are Equal" had its premiere at the Louisville Festival of Faiths Social Justice event in November 2003, to over 1,000 students. KCHR performed accompanying skits and held discussions over the three-day event. The video is available for use to schools.

2004 Martin Luther King Jr. Leadership Awards announced

KCHR held the 11th annual Dr. Martin Luther King Jr. Legacy Celebration on Monday, Jan. 12, to an audience that included more than 1,000 high school students. Naomi Earp, vice chairwoman of the U.S. Equal Employment Opportunity Commission, was the key speaker. Kentucky Secretary of State Trey Grayson and Treasurer Jonathan Miller also spoke.

During the event at Central High School Magnet Career Academy in Louisville, the commission presented two Martin Luther King Emerging Youth Leadership Awards to Kevin Lee, a sixth grade student at the Brown School, and Jamarl Bryant, a fifth grade student at Atkinson Elementary School.

This is the first year for the Emerging Youth Leadership Award, which is designed to recognize children in Jefferson County who serve the community through volunteerism.

Rasean Crawley, a senior at duPont Manual and Brooke Pearson, a senior at Christian Academy, both of Louisville, were the recipients of the MLK Youth Leadership Award.

Teachers, church leaders and other community members nominated 25 students for the Youth Leadership Awards. The recipients were selected by representatives from the Girl Scouts of America, Louisville Urban League Young Professionals, Jefferson County Public Schools, Latin America Club of Louisville, the YMCA Board of Directors and the Jewish Community Federation of Louisville.

Dawne Gee and Chris Parente, both WAVE-TV news anchors, received the MLK 2004 Adult Leadership awards. The Louisville Urban League received Beverly Watts' 2004 Executive Director's Community Service Award (see all



Above, at the annual Martin Luther King event: Left to right, Kentucky Secretary of State Trey Grayson, Kentucky Treasurer Jonathan Miller, KCHR Executive Director Beverly Watts, and U.S. EEOC Vice-Chair Naomi Earp. (See award recipient photos on last page.)

recipients on last page).

"We give all the awards to recognize individuals who help make the world a better place through service," Ms. Watts said, "and to show the possibilities to others."

Ms. Earp told students that Dr. King's birthday is not just a day off or "a black thing that everybody else can't understand."

The holiday is "one day that represents...everyday principles that include service, education, courage, truth, compassion, dignity, humility and respect," she said. "These principles surpass ethnicity, gender, professional status and any of the other descriptions society uses to put us in different categories." Insight televised the event 9 times in January.

Civil Rights Hall of Fame is in Frankfort



The Kentucky Civil Rights Hall of Fame has found a permanent home at Kentucky State University. Interim President William Turner welcomed the education program and unveiled the Hall of Fame sculpture during the KSU Founder's Day Celebration at the grand opening of the renovated Carl Hill Student Center on Oct. 17, 2003. The sculpture will remain on permanent exhibit at the student center. Pictured at the dedication are the sculpture designer, Kentucky artist Garry Bibbs, President Turner, Hall of Fame inductee Rev. Louis Coleman, KCHR's Beverly Watts, inductee Mattie Johnson-Jones and inductee Rev. Wardelle G. Harvey Sr.

HUD Partners



Carolyn Peoples, assistant secretary of the U.S. HUD Office of Fair Housing and Equal Opportunity (front row, second from left) stands with KCHR representatives. She spoke with KCHR and other Fair Housing Initiative Program (FHIP) and Fair Housing Assistance Program (FHAP) agencies during her recent visit to Louisville about challenges of the coming year. She encouraged ongoing support of affirmatively furthering fair housing.

Partners Page

Local Commissions News

***The Ashland Human Rights Commission**, which last year opened an office in the Mayo Arcade Building, is helping the local school district celebrate Black History Month in February by educating students about members of the Kentucky Civil Rights Hall of Fame. AHRC Chair Carol Jackson said she is helping students retrieve information on the 22 Hall of Fame members so far inducted.

***The Covington Human Rights Commission** is preparing hand-outs about its members and duties as part of an outreach effort to the general public and social service agencies. The hand-outs will also inform the public about civil rights. CHRC Chair Rev. Donald Smith is preparing to celebrate in April the first anniversary of the commission's passage of the new human rights.

***The Danville-Boyle County Human Rights Commission** will participate in the annual Danville Heritage Festival March 5-7. The festival celebrates a variety of cultures and features music, poetry, food and arts and crafts. Georgia Tompkins, DBCHRC chair, serves on a committee that helps plan the festival. The commission will have a booth to hand out information.

***The Lexington-Fayette Urban County Human Rights Commission** is hosting a special conference March 3-March 5 at the Hyatt Regency Hotel in Lexington to commemorate the 50th Anniversary of the historic Brown v. Board of Education decision, which banned separate but equal facilities based on race in public schools. William Wharton, the executive director of the commission, said he expects more than 200 people to attend the Quad-State Fair Housing and Equal Opportunity Conference, which will draw people from North Carolina, South Carolina, Kentucky and Tennessee. KCHR will hold programs on affirmative action, civil rights and closing the achievement gap for minority and handicapped children at the Lexington conference.

***The Richmond Human Rights Commission**, which was revived last year, is planning a range of activities for this year. At its meeting in January, the group heard from KCHR Field Supervisors Juan Peña and John C.K. Fisher. Richmond commission members said they would like to hold a diversity seminar for Hispanics and others to inform them about their civil rights.

***Versailles-Midway-Woodford County Human Rights Commission:** Rev. Ken Golphin, chair of the local commission, has increased outreach efforts for his organization. Rev. Golphin and another member of his commission attended the ninth annual Town Forum sponsored by the Kentucky Human Rights Commission in Louisville on the topic, "Affirmative Action Debate: Where do We go from Here?"

***The Henderson-Henderson County Human Rights Commission** hosted a Hispanic outreach symposium in November. KCHR's Juan Peña participated in this event. Plans for a Fair Housing Breakfast on February 11 included Tony Baize of the Fair Housing Council as guest speaker at Wolf's Banquet and Convention Center in Henderson. Also, Henderson has seven high school student interns this year doing a variety of projects.

***The Owensboro Human Rights Commission** sponsored a Dr. Martin Luther King Jr. community celebration and march on Monday, January 19. The commission co-sponsored with KCHR and several other organizations on a housing symposium in November 2003.

***This year marks the 40th Anniversary of The Paducah Human Rights Commission.** It is currently planning events to celebrate this milestone. There are tentative plans for a banquet in May; KCHR's Beverly Watts will be the guest speaker. Firm plans will be announced in the next few months.

***The Franklin Commission on Human Rights** has recently expanded to become the **Franklin-Simpson County Commission on Human Rights**. Two new members, Donna Alderson and Josh Tucker have been appointed to the commission to represent Simpson County. The Franklin commission has been working in partnership with the Bowling Green Human Rights Commission, and on January 14, a training workshop was presented by Linda McCray, executive director of the BGHRC.

***The Bardstown Human Rights Commission** participated in the city's annual Dr. Martin Luther King Jr. celebration on January 19th, where they distributed information about the commission to the community.

Conciliations approved totalling \$64,500

The Kentucky Commission on Human Rights approved eight conciliation agreements at the regular meeting in December. In October, the commission dismissed 17 complaints with findings of no probable cause. No meeting was held in November.

Conciliation agreements are not admissions by the respondents of any violations of the law. The respondents in each case denied all allegations of violations of the law. Conciliations are reached through KCHR negotiations between the complainants and respondents in consideration for the full and complete resolution of all claims.

KCHR enforces The Kentucky Civil Rights Act, which prohibits discrimination based on race, sex, religion, national origin, age (over 40), color, disability, familial status and retaliation in employment, housing, public accommodations and financial services. Complaints that cannot be dismissed, settled or conciliated go to administrative hearing, where commission decisions have the authority of a court of law.

Mistie Colson v. Patrick and Laura Muldoon in Fort Wright: In a complaint alleging discrimination based on familial status in housing, in violation of the Kentucky Civil Rights Act, KRS 344.360, a conciliation agreement included the following: Compensation by the respondents to the complainant in the amount of \$3,500; respondent will attend fair housing training conducted by the commission; respondent will post the fair housing poster and distribute literature to potential clients.

Housing Opportunities Made Equal (HOME) of Greater Cincinnati v. Joseph Ahrens Hayes (Ahrens Properties LLC) in Fort Thomas: In a complaint alleging discrimination based on familial status in housing, in violation of the Kentucky Civil Rights Act, KRS

344.360, a conciliation agreement included the following: Compensation by the respondent to the complainant in the amount of \$8,000; respondent will attend fair housing training conducted by the commission; respondent will post the fair housing poster and distribute literature to potential clients; respondent will revise its lease application to eliminate the phrase, "No children under the age of 18;" respondent will report to the commission for three years regarding fair housing law compliance.

Sarah Armstrong v. City of Flatwoods: In a complaint alleging discrimination based on sex in employment, in violation of KRS 344.040, a conciliation agreement included the following: Compensation by the respondent to the complainant in the amount of \$5,000; respondent will provide civil rights compliance training to management; respondent will report to the commission in one year, compliance with the aforementioned training.

Rebecca Keeton v. City of Flatwoods: In a complaint alleging discrimination based on sex in employment, in violation of KRS 344.040, a conciliation agreement included the following: Compensation by the respondent to the complainant in the amount of \$5,000; and, (same as immediately above.)

Patricia Lemaster v. City of Flatwoods: In a complaint alleging discrimination based on sex in employment, in violation of KRS 344.040, a conciliation agreement included the following: Compensation by the respondent to the complainant in the amount of \$18,000; and, (same as immediately above.)

Emma Dailey v. Bloodstock Research Information services Inc. in Lexington: In a complaint alleging

discrimination based on religion, age and retaliation in employment, in violation of KRS 344.040 and 344.280, a conciliation agreement included the following: Respondent will provide civil rights compliance training to management; respondent will write and distribute a discrimination and harassment policy and provide a copy to the commission.

Ramona Taylor v. L.A. Weight Loss Centers in Louisville: In a complaint alleging discrimination based on race and age in employment, in violation of KRS 344.040, a conciliation agreement included the following: Compensation by the respondent to the complainant in the amount of \$5,000; respondent will provide a neutral job reference regarding the complainant; respondent will report to the commission for three years regarding civil rights compliance; respondent will provide civil rights compliance training to management.

Kim Courtney v. Field Packing Company LLC in Owensboro: In a complaint alleging discrimination based on sex and retaliation in employment, in violation of KRS 344.040 and 344.280, a conciliation agreement included the following: Compensation by the respondent to the complainant in the amount of \$20,000; respondent will provide a neutral job reference regarding the complainant; respondent will report to the commission for three years regarding civil rights law compliance; respondent will provide civil rights training to management.

Also in December, the commission dismissed 39 complaints with findings of no probable cause, and accepted three complaint-withdrawals and two withdrawals with settlement.



Left: Kim Courtney and KCHR Enforcement Officer Pamela Horne. Ms. Courtney received a check in December 2003 for \$25,000 in a conciliation regarding Courtney v. Field Packing Co.



Right: Ramona Taylor and KCHR supervisor Joe Lally. Ms. Taylor received a check for \$5,000 in a conciliation regarding Taylor v. L.A. Weight Loss Centers.

HUMAN RIGHTS REPORT

Kentucky Commission on Human Rights

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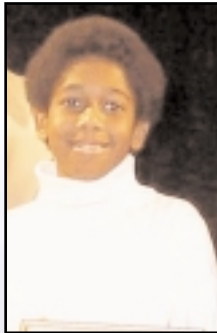
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The 2004 KCHR Dr. Martin Luther King Jr. Leadership Award Recipients



Jamarl Bryant
Emerging Youth
Leadership Award



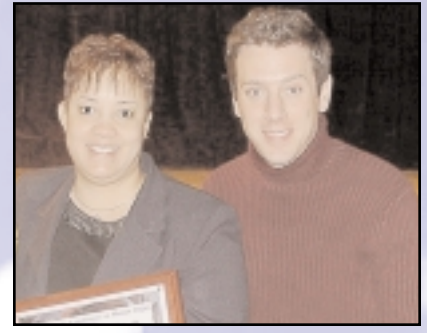
Kevin Lee
Emerging Youth
Leadership Award



Brooke Pearson
Youth Leadership
Award



Rasean Crawley
Youth Leadership
Award



Dawne Gee and Chris Parente
Adult Leadership Awards

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